UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/072,988	02/12/2002	Chris E. Rowen	OTG0002-US	3521

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EXAMINER
FLYNN, KIMBERLY D

ART UNIT	PAPER NUMBER
2153	

DATE MAILED: 02/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 May 2002*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-44* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-44* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date *5/03, 6/02, 5/03*.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

2.   Claims 1-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paul (U.S.

Patent No. 5,999,932; hereinafter Paul) in view of Hall (U.S. Patent Pub. No. 2003/0061433;

hereinafter Hall).

In considering claims 1, 15, 21, and 37, Paul discloses a method for a unique electronic

message in a plurality of electronic email messages extracted from an electronic mail messaging

system, the method comprising:

retrieving a message from a mailbox on the electronic mail messaging system, the

message including a plurality of message properties (col. 8, lines 22-24);

reviewing a list of message tags stored in an index file; and determining whether the

message is unique based upon whether the message tag is in an index file (col. 8, lines 24-27).

While Paul discloses retrieving data (message properties) from selected fields of the

received e-mail message Paul does not disclose computing a message tag from at least a portion

of the plurality of message properties. Nonetheless computing a message or record tag from a

portion of properties is well known as evidenced by Hall. In similar art Hall teaches a tag

generator that generates a new record tag by combining and concatenating acquired data, the new

generated tag record is compared to the tag to other record tags until the tag is found to be unique

(see Hall [0044 lines 6-15]). Because the message properties of the many different received emails may be stored in different formats and fields, it would have been obvious to a person having ordinary skill in the art to modify the system disclosed by Paul to include the step of generating a message tag prior to comparing the message tag to stored message tags in order to more accurately identify and index unique email messages using a unified tag without regard to the format in which the email message properties are received. Therefore, the aforementioned limitation would have been an obvious modification to the system disclosed by Paul.

In considering claims 2, 17, 22, and 38, the combined system of Paul and Hall further discloses that the message tag is computed by concatenating at least two properties selected from the plurality of message properties (see Hall [0044, lines 14-16]).

In considering claims 3-4, 10-11, 18-19, 23-24, 28, 32-33, 39-40, and 44, the combined system of Paul and Hall further discloses that the message tag is computed by applying a MD5 hash algorithm to the message tag to form a uniform string, wherein the string had a predetermined length (see Hall [0045]).

In considering claims 7, 13, 20, 29, and 35, the combined system of Paul and Hall discloses that the index file is stored in a relation database system (see Paul col. 4, lines 67 through col. 5, lines 1-4 see also fig. 2, (202) and fig. 5).

In considering claim 12, the combined system of Paul and Hall discloses that the first mailbox and the second mailbox are different mailboxes on the electronic mail messaging system (see Paul col. 7, lines 42-45).

In considering claims 14 and 36, the combined system of Paul and Hall discloses that the message archive is a relation database system (see Paul col. 7, lines 45-51).

In considering claims 25 and 41, the combined system of Paul and Hall discloses that the uniqueness checker or archive server reads the message from a mailbox on the electronic mail messaging system (see Paul col. 5, lines 7-16).

In considering claims 5-6, 9, 16, 26-27, 31, 34, and 42-43 while the combined system of Paul and Hall discloses that the system creates a record/message tag and filters incoming mail received in the user's email store based on three fields of data/message properties contained in the incoming e-mail, the "from" field, the "to" field, and the "subject" field, the system does not specifically disclose that the message the system substantially as claimed, it does not discloses that the plurality of message properties include a sender's name and a sender's submission time, and that the first and second message tags are computed by concatenating the first or second sender's name to the first or second sender's submission time. Nonetheless, this is merely a design. It would have been obvious to a person having ordinary skill in the art to customize the message filter and choose any of the message properties for filtering as the choice does not change to overall functionality of the system. Therefore, the aforementioned limitations would have been obvious modifications to the combined system of Paul and Hall.

In considering claims 8 and 30, the claims contain limitations similar to those previous rejected in claims 1, 9, 15, 21, 31, 34 and 37. Therefore, the same grounds of rejection are applicable.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly D Flynn whose telephone number is 571-272-3954. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Glen Burgess can be reached on 703-305-4792. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kimberly D Flynn
Examiner
Art Unit 2153

KDF

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